



1624AF #
JFW

PATENT
ATTORNEY DOCKET NO.: 056291-5082

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:)
)
CUMMING)
)
Application No.: 10/070,360) Group Art Unit: 1624
)
Filed: March 5, 2002) Examiner: Balasubramanian, V.
)
FOR: PYRIMIDINE DERIVATIVES)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop AF**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Date: May 28, 2004

Sir:

**NOTICE OF APPEAL TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Final Office Action dated November 28, 2003 rejecting claims of the above-identified application.

The item(s) checked below are appropriate:

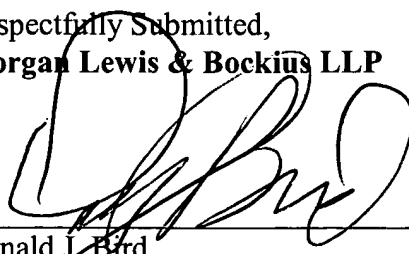
1. ☒ A timely response to the final rejection was filed on April 28, 2004.
2. ☒ Notice of Appeal Fee enclosed: \$ 330.00
3. ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of three (3) months.
An extension for two (2) months has already been secured and the fee paid. Therefore, the amount of \$420.00 is deducted from the total fee due for the total months of extension now requested.
Extension of time fee due with this request: \$ 530.00
4. ☒ Total Fees Due: \$ 860.00

06/01/2004 CCHAU1 00000082 500310 10070360

01 FC:1401 330.00 DA
02 FC:1253 530.00 DA

5. ☒ **The Commissioner is hereby authorized to charge \$860.00 to Deposit Account No. 50-0310 for Notice of Appeal Fee (\$330.00) and Third Month Extension of Time Fee (\$520.00).**
6. ☒ **The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.**

Respectfully Submitted,
Morgan Lewis & Bockius LLP



Date: May 28, 2004
Morgan Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Tel. No.: 202-739-3000
DJB:mk

By:

Donald J. Bird
Registration No. 25,323
Tel. No.: (202) 739-5320
Fax No.: (202) 739-3001